

SWIMMING POOLS, SPAS, & HOT TUBS

Application Instructions and Submittal Requirements



PERMIT(S) REQUIRED

A zoning permit is required for an in-ground or above-ground swimming pool, spa or hot tub. A fence permit may be required, if a fence does not currently exist.

A building and electric permit are also required from the Warren County Building Department for an in-ground or above-ground swimming pool, spa or hot tub.

APPLICATION FORM

An "Application for Zoning Permit" shall be completed and submitted for review.

FILING FEE

\$30.00 if the structure is less than 200 sq. ft.;

\$50.00 if the structure is 200 sq. ft. or larger,
payable by check, cash, or credit card.

SUBMITTAL REQUIREMENTS

Three (3) copies of plans shall be submitted with the application. The plans shall show the following information:

In-ground Pool

Plot Plan

- Property lines*
- Existing buildings and structures (i.e., House, shed, deck, etc.)
- Location of the proposed swimming pool. Provide distance, in feet, from adjacent property lines.
- Location of fence. The swimming pool, spa or hot tub shall be secured by a fence with a minimum height of 48-inches. See regulations below for specific requirements.

Structure Drawings

- Cross section and plan view of the swimming pool showing steps, ladder, deck and footing details. Include manufacturer's specifications if applicable.
- Fence detail showing height, design, and material.

Above-ground pool, spa, and hot tub

Plot Plan

- Property lines*
- Existing buildings and structures (i.e., House, shed, deck, etc.)
- Location of the proposed swimming pool, spa, or hot tub. Provide distance, in feet from adjacent property lines.
- Location of fence. The swimming pool, spa or hot tub shall be secured by a fence with a minimum height of 48-inches. See regulations below for specific requirements.

*** A plot plan provides the most accurate information about your property and typically shows public and private easement locations. The City may have this information on file, please contact the Department of Planning and Development at 513-228-3171.**

Structure Drawings

- Elevation drawings of the pool wall to verify overall height above grade. If a deck is to be constructed around the pool, a deck permit is required.

SWIMMING POOL REGULATIONS – LCO §1133.15 (E.10.)

10. Swimming Pools

- a. Outdoor lighting shall be subject to the lighting standards of Section 1135.12 (Outdoor Lighting).
- b. All swimming pools and associated equipment of the swimming pool shall be constructed and erected in accordance with all applicable codes, ordinances and regulations of the City of Lebanon and, where applicable, the Warren County Combined Health District.
- c. Private Swimming Pools

All private swimming pools shall be regulated according to the following requirements:

- i. Except as herein provided, no swimming pool or associated equipment, shall be permitted within any required front and side yards, nor within any public right-of-way or utility easement.
 - ii. In-ground swimming pools shall be required to have a fence or wall, including a self-closing or self-locking door or gate, around the pool or the property on which the pool is located. Such fence or wall shall be a minimum of four feet, but not more than seven feet in height; such fences or walls shall be constructed in such a manner that a small child may not reach the pool from the street or any adjacent property without climbing the fence or wall or opening the gate or door.
 - iii. Above-ground swimming pools shall be required to have a fence or wall, including a self-closing or self-locking door or gate, around the pool or property upon which the pool is located if the sides of the pool are shorter than four feet in height. Such fences shall comply with division (ii) above.
 - iv. Any access to above ground pools by means of a ladder or stairway shall be provided with a self-closing or self-locking door or gate, or some other device that would prevent a small child from gaining access to the pool by means of a ladder.
- d. Public, Semi-Public and Commercial Swimming Pools

All public, semi-public, and commercial swimming pools shall be regulated according to the following requirements:

- i. Except as herein provided, no swimming pool and associated equipment shall be permitted within any required front and side yards or within the limits of any public right-of-way or utility easement.
- ii. The swimming pool or the property on which the pool is located shall be surrounded by a fence or wall, including a self-closing or self-locking door or gate. Such fence or wall shall be a minimum of five feet, but not more than eight feet in height; such fences or walls shall be constructed in such a manner that a small child may not reach the pool from the street or any adjacent property without climbing the fence or wall or opening the gate or door.
- iii. No mechanical device for the reproduction or amplification of sounds used in connection with swimming pools shall create a nuisance to adjacent residential properties.

ACCESSORY USE AND STRUCTURE REGULATIONS – LCO §1133.15 (B.)

B. General Accessory Use and Structure Standards

Accessory uses or structures shall be permitted provided:

1. The building or use is incidental to and customarily found in connection with a principal building or use permitted in the district in which is located;

2. It is subordinate to and serves the principal building or use;
3. It is subordinate in size, area, extent, and purpose to the principal building or use;
4. It is located on the same lot as the principal use for which it serves;
5. An owner applies for and receives a zoning permit unless exempted by this section;
6. The maximum height of an accessory detached garage shall be **18 feet in overall height**;
7. The maximum height of any other accessory use or building shall be **15 feet in overall height**;
8. Unless permitted by the planning commission and city council in a PUD approval or site plan approval, accessory uses and structures shall be prohibited in any open space area that is preserved by covenant including, but not limited to, open spaces in any planned unit development or open space subdivisions;
9. Unless otherwise permitted in this section, accessory uses **shall not be permitted within any required minimum front yard or side yard in any zone**; and
10. Accessory uses may be permitted to extend into the minimum rear yard provided that such use or structure are set back a **minimum of ten (10) feet** from the rear and side lot lines.

